IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

WP(C).No. 14642 of 2007(R)

PETITIONER:

ROSILY KURIAKOSE, W/O.K.V.KURIAKOSE,
KOTTACKAL HOUSE, THALAKODE P.O.,
KOTHAMANGALAM, ERNAKULAM DISTRICT.

BY ADV. SRI.R.KIRAN

RESPONDENTS:

---

1. OONNUKAL SERVICE CO-OPERATIVE
BANK LTD., OONNUKAL P.O., KOTHAMANGALAM,
REPRESENTED BY ITS SECRETARY.

2. THE INSPECTOR OF CO-OPERATIVE
SOCIETIES, (SALE OFFICER), OFFICE OF THE
ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL), KOTHAMANGALAM.

3. THE ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), KOTHAMANGALAM.

R1 BY ADV. SRI.P.V.BABY.
R2 & R3 BY GOVT. PLEADER SRI P.K. RAVIKRISHNAN..

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/08/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 14642/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE PHOTO COPY OF THE SALE CERTIFICATE DATED 15.12.2005 ISSUED BY THE 3RD RESPONDENT IN FAVOUR OF THE 1ST RESPONDENT.

K.M.JOSEPH, J.

- -

WP.(C) No. 14642 of 2007

- -

Dated this the 1st day of August, 2007

JUDGMENT

Property of the petitioner and her husband was sold for recovering the loan taken by the petitioner and her husband. Property was auctioned by the Bank itself. Sale was confirmed. Property was taken possession of by the Bank. The prayer in the writ petition is to transfer the property covered by Ext.P1 in the name of the petitioner and her husband after adjusting the amount due to the Bank.

2. I heard counsel for the Bank Sri. P.V.Baby.

3. Learned counsel for the petitioner submits that even though the Bank has bid the property, purchased it and it is in their possession, the Bank is prepared to re-convey the property to the petitioner on condition that the petitioner will repay the amount due and bear the expenses for the re-conveyance. He submits that the first respondent will serve a statement within a period of one week from today showing the amount payable by the petitioner and if the petitioner remits the said amount and also bears the expenses for executing re-conveyance

within the period of one month from the date of receipt of the statement, the respondent will re-convey the property to the petitioner and her husband.

Recording the submission, the writ petition is disposed of directing that the first respondent will serve a statement showing the amount due within one week from today and if the petitioner remits the entire amount as shown in the statement within a period of one month thereafter and also bears the expenses for re-conveyance, the respondent Bank will re-convey the property.

(K.M. JOSEPH, JUDGE)

sb